IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO.1878 OF 1996

Najma Bano Yakub Raje .. Petitioner.

Verus.

State of Maharashtra & Anr. .. Respondents.

Mr.P.Chavan for the petitioner.

Mr.R.J.Mane, AGP for respondent.

CORAM: R.M.S.KHANDEPARKAR &
V.M.KANADE,JJ.
DATE : 27TH SEPTEMBER 2005.

P.C.

1. Heard. In this petition, the petitioners are seeking relief for cancellation of the order of requisition dated 6.12.1957 in relation to their premises. Premises situated at Ali Umer Street, Mumbai -400003 were allotted for occupation of government employees who continued to be a government employee. Respondent no.2 in whose favour the allotment was made, continued in occupation on the appointed day i.e. 7.12.1996. Being so, the case is fully covered by the decision in the matter of Welfare Association, A.R.P Maharashtra and Another versus Ranjit P. Gohil and Others reported in (2003)9 Supreme Court Cases 358 and consequently, the allottee attains the status of a

tenant, having permission under the respondent legislation in force in the state. Being so, the petition is not maintainable, therefore, accordingly dismissed. The rule is discharged with no order as to cost.

(R.M.S.KHANDEPARKAR,J)

(V.M.KANADE,J)